

**BEFORE THE STATE BOARD OF REGISTRATION  
FOR THE HEALING ARTS**

MISSOURI STATE BOARD OF REGISTRATION  
FOR THE HEALING ARTS

**Board/Petitioner,**

v.

DEIDRA L. CHARLES, M.D.,  
4315 N.E. Courtney Drive  
Lee's Summit, MO 64064

**Licensee.**

Case No. HA01016391

**SETTLEMENT AGREEMENT**

Deidra L. Charles, M.D., ("Licensee") and the State Board of Registration for the Healing Arts (the "Board") enter into this Agreement for the purpose of resolving the question of whether Dr. Charles' license as a physician or surgeon will be subject to discipline. Licensee and the Board jointly stipulate and agree that a final disposition of this matter may be effectuated as described below pursuant to § 621.045, RSMo Supp. 1999.

1. Licensee, Deidra L. Charles, M.D., acknowledges that she understands the various rights and privileges afforded her by law, including the right to appear and be represented by counsel at licensee's own expense; the right to a hearing on the charges pending against licensee; the right to have all charges against licensee proven upon the record by competent and substantial evidence; the right to cross-examine any witness appearing at the hearing against licensee; the right to present evidence on licensee's own behalf at the hearing; the right to a

decision upon the record of the hearing by a fair and impartial administrative hearing commissioner concerning the charges pending against licensee; the right to a ruling on questions of law by an administrative hearing commissioner; the right to seek recovery of attorneys' fees and costs; the right to a disciplinary hearing before the Board at which time evidence may be presented in mitigation of discipline and the right to obtain judicial review of the decisions of the Administrative Hearing Commission and the State Board of Registration for the Healing Arts. Having been advised of these rights provided licensee by operation of law, Dr. Charles knowingly and voluntarily waives each and every one of these rights and freely enters into this Agreement and agrees to abide by the terms of this document as they pertain to respondent.

2. Licensee, Deidra L. Charles, M.D., acknowledges that she has been duly served with copies of the documents relied on by the Board in reaching the conclusion that licensee's medical license is subject to discipline.

3. Licensee, Deidra L. Charles, M.D., acknowledges that she may, at the time this Agreement is effective or within fifteen days thereafter, submit this Agreement to the Administrative Hearing Commission for determination that the facts agreed to by the parties constitute grounds for discipline of Licensee's license.

4. Licensee, Deidra L. Charles, M.D., acknowledges that she has been informed of and understands her right to consult legal counsel at her own expense in this matter.

5. Licensee, Deidra L. Charles, M.D., hereby waives and releases the Board, its members and any of its employees, agents, investigators and/or attorneys, including any former Board members, employees, agents, investigators and/or attorneys, of, or from, any liability,

claim, actions, causes of action, fees, costs and expenses, and compensation, including any claims pursuant to § 536.087, RSMo 1994, or any claim arising under 42 U.S.C. 1983, which may be based upon, arise out of, or relate to any of the matters raised in this case or this Agreement, or from the negotiation or execution of this Agreement. The parties acknowledge that this paragraph is severable from the remaining portions of this Agreement in that it survives in perpetuity even in the event that any court of law deems this Agreement, or any portion thereof, void or unenforceable.

6. The parties stipulate and agree that the disciplinary order agreed to by the Board and licensee in Part II herein is based only on the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law set out in Part I herein. Licensee understands that the Board may take further disciplinary action against licensee based on facts or conduct not specifically mentioned in this document that are either now known the Board or may be discovered.

7. Licensee understands and agrees that the Missouri State Board of Registration for the Healing Arts will maintain this Agreement as an open record of the Board as required by Chapters 334, 610, 620 and 621, RSMo, as amended.

#### **I.**

Based upon the foregoing, the Board and licensee herein jointly stipulate to the following:

#### **JOINT PROPOSED FINDINGS OF FACT**

1. The State Board of Registration for the Healing Arts ("the Board") is an agency of the State of Missouri created and established pursuant to § 334.120, for the purpose of

executing and enforcing the provisions of Chapter 334, RSMo.

2. Dr. Deidra L. Charles, M.D., ("licensee") is licensed by the Board as a physician and surgeon, license number MD104242 which was first issued on July 22, 1993. Licensee's certificate of registration was current and active at all times mentioned herein. Licensee primarily practices in the area of emergency medicine and maintains her principal office for the practice of medicine at 2316 East Meyer Boulevard, Kansas City, Missouri, 64132.

3. On or about December 18, 1997, patient BT presented to the Emergency Room (ER) with abdominal pain and was seen by licensee.

4. Patient BT was 41 year-old, obese female with a past medical history significant for hypertension. BT complained of a sudden onset of mid-epigastric abdominal pain, which the patient related to food she recently digested. BT had vomited once prior to seeing respondent and once while she was in the ER. No other symptoms were indicated.

5. On exam, licensee made the following differential diagnoses: a) some type of gastric or type ulcer disease, b) ulcer disease, c) possible bowel perforation or obstruction, d) pancreatitis, or e) myocardial infarction.

6. Licensee proceeded to conduct tests to rule these possible diagnoses in or out, concluding that gallbladder disease was the most likely diagnosis. After two to two and one-half hours of total examination, licensee signed patient BT out as non-specific abdominal pain and hypokalemitic.

7. On or about December 19, 1997, patient BT again suffered strong abdominal pain, which worsened and continued into the earlier hours of December 20, 1997; at which time she

was found unresponsive and taken back to the ER where she ultimately died.

8. Upon an autopsy by the Jackson County Office of Medical Examiner, it was determined that patient's BT cause of death was aortic dissection.

9. At the time licensee examined and treated patient BT on December 18, 1997, she was aware that the patient had acute abdominal pain, had an elevated white count of 19,500 with a left shift, and suffered enough pain to require 50 mg of Demerol.

10. Despite these indications, licensee did not admit patient BT for further evaluation and consultation.

#### JOINT PROPOSED CONCLUSIONS OF LAW

11. Based on the foregoing, licensee's license is subject to disciplinary action pursuant to § 334.100.2(4), (5) and (6), RSMo Supp. 1997-99, which provides:

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by Chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his certificate of registration or authority, permit or license for any one or any combination of the following causes:

\* \* \*

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or **unprofessional conduct** in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following . . . (emphasis added).

(5) Any conduct or practice which or might be harmful or dangerous to the mental or physical health of a patient or the public . . .

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted under this chapter;

12. Licensee's conduct, as established by the foregoing facts, falls within the intendment of § 334.100.2 (4), (5) and (6), RSMo Supp. 1997-99.

13. Cause exists for Petitioner to take disciplinary action against Respondent's license pursuant to § 334.100.2(4),(4h),(6),(13), and (22), RSMo Supp. 1997-99.

## II.

### JOINT AGREED DISCIPLINARY ORDER

Based on the foregoing, the parties mutually agree and stipulate that the following shall constitute the disciplinary **ORDER** entered by the State Board of Registration for the Healing Arts in this matter under the authority of § 621.110, RSMo 1994. This Agreement will be effective immediately on the date entered and finalized by the Board.

A. Effective the date the Board enters into the Agreement:

1. The medical license, No. MD104242, issued to Licensee, Deidra L. Charles, M.D., is hereby **PUBLICLY REPRIMANDED**.

B. Licensee hereby waives and releases the Board, its members, and any of its employees, agents, investigators, and/or attorneys, including any former Board members, employees, agents, investigators, and/or attorneys, of, or from, any liability, claim, actions, causes of action, fees, costs, and expenses, and compensation, including, but not limited to, any claims for attorneys fees and expenses, including any claims made pursuant to § 536.087, RSMo, or any claims arising under 42 U.S.C. 1983, which may be based upon, arise out of, or relate to any of the matters raised in this Agreement, or from the negotiation or execution of this Agreement. The parties acknowledge that this paragraph is severable from the remaining

portions of this Agreement in that it survives in perpetuity even in the event that any court of law deems this Agreement or any portion thereof void or unenforceable.

C. In consideration of the foregoing, the parties consent to the termination of any further proceedings based upon the facts set forth herein.

**LICENSEE**

Deidra L. Charles, M.D.  
Deidra L. Charles, M.D.

Date: June \_\_\_\_, 2000 8/18/2000

(IF APPLICABLE)

Name \_\_\_\_\_  
MO BAR # \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone (\_\_\_\_) \_\_\_\_\_

**ATTORNEY FOR RESPONDENT**

Date: June \_\_\_\_, 2000

**PETITIONER**

State Board of Registration  
For the Healing Arts

Tina Steinman  
Tina Steinman

Executive Director  
Date: June \_\_\_\_, 2000 8/2/01

Glenn E. Bradford, MO # 27396  
Glenn E. Bradford, MO # 27396  
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**ATTORNEYS FOR PETITIONER**

Date: June 24, 2000

DATE EFFECTIVE THIS 2 DAY OF August, ~~2000~~ <sup>2001</sup>